

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**NAVIGATORS INSURANCE COMPANY** )  
**as subrogee of MCTYRE TRUCKING** )  
**COMPANY, INC.,** )  
 )  
**Plaintiff,** )  
 )  
**v.** )  
 )  
**VERIZON VIRGINIA, INC.,** )  
 )  
**Defendant.** )  
\_\_\_\_\_ )

**Case No. 3:11CV061**

**REPORT OF PARTIES RULE 26(f) PLANNING MEETING**

**NOW COMES** the Parties, by Counsel, and respectfully submit their stipulated plan of discovery. The parties will be prepared to discuss this plan at the pretrial scheduling conference.

**I. CONFERENCE OF PARTIES**

Pursuant to Fed.R.Civ.P. 26(f) and Local Rule 26(A)(1) and this Court's Order entered on March 7, 2011, the parties met on March 15, 2011, and discussed the matters required to be addressed at the conference of the parties.

**II. INITIAL DISCLOSURES**

The parties have agreed to make their initial disclosures pursuant to Fed.R.Civ.P. 26(a)(1) on or by March 28, 2011. This date was stipulated by the parties, through Counsel, as provided for in Fed.R.Civ.P. 26(a)(1)(C).

**III. DISCOVERY PLAN**

The Parties propose the following discovery plan:

A. Subjects:

The scope of discovery will be limited to those topics permissible under Fed.R.Civ.P. 26(b). In addressing the subjects on which discovery may be needed, and without limiting the Parties, it is anticipated that the following depositions may be taken: (1) the Defendants will likely depose the Plaintiff's driver, the pilot car driver, any experts; and (2) the Plaintiff will likely depose the Defendants' representative and experts.

B. Parties' Discovery:

1. Deadline to serve written discovery requests, i.e. Interrogatories, Requests for Production, and Requests for Admission is April 15, 2011.

2. Expert disclosures, pursuant to Fed.R.Civ.P. 26(a)(2), will be due according to the following schedule:

a) Plaintiff's and Third-Party Plaintiffs' expert disclosures are due on or before April 29, 2011;

b) Defendants' and Third-Party Defendants' expert disclosures are due on or before May 20, 2011;

c) Any rebuttal expert disclosures are due on or before June 6, 2011.

3. Deadline for completion of discovery and depositions is June 16, 2011.

4. The parties agree that in light of the discovery schedule and cutoff date all subpoenas *duces tecum* shall be served with a 15 day return date, which the parties further agree is a reasonable time period within Fed. R. Civ. P. 45(c)(1).

IV. OTHER MATTERS

A. Dispositive motions shall be filed on or by June 17, 2011. Briefing on dispositive motions shall be governed by Local Rule 7.

B. Settlement was discussed at the conference of the parties. The Parties agree that early mediation with a U.S. Magistrate Judge is warranted and the parties request a referral to a U.S. Magistrate Judge.

C. Witness List, Exhibit/Objections, and Stipulations: These matters are addressed in the Scheduling Order of March 7, 2011.

Respectfully Submitted,

By Counsel

\_\_\_\_\_/s/  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 18th day of March, 2011, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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